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CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

(This form is intended to be used by persons who are not represented by an attorney. The form should NOT be used by a prisoner who is filing a complaint under the Civil Rights Act, 42 U.S.C. § 1983. A separate form is obtainable for prisoners.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA**

Richard L. Purcell

(Enter above the FULL name of each plaintiff in this action)

vs.

Union Pacific Railroad

(Enter above the FULL name of each defendant in this action)

COMPLAINT

Rail Labor Act Violations

Parties

(In item A below, place your name in the first blank and place your present address and phone number in the second blank. In the third blank write the state where your home is ("Home State"). In item B below, do the same for additional plaintiffs, if any.)

A. Name of Plaintiff Richard L. Purcell

Address & Phone number 243 17. 6TH STREET #3 Clinton, Iowa

Home State Iowa

B. Additional Plaintiffs (include addresses, phone numbers and home states)

(In item C below, place the FULL name of the defendant in the first blank place the address and phone number for the defendant in the second blank. In the third blank , write the state in which the defendant has his/her home. If the defendant is a corporation, list the location of its home office, and the state where it is incorporated, if known. If the defendant is a government agency, simply name it. In item D, do the same for additional defendants, if any.)

C. Name of defendant Union Pacific Railroad

Address & Phone number 1346 Beaver Channel Pkwy - Clinton, IA

Home State Nebraska (Omaha) Headquarters

D. Additional Defendants (include addresses, phone numbers and home states)

Statement of Claim

(State here as briefly as possible the FACTS of your case. You MUST state EXACTLY what each defendant personally did, or failed to do, which resulted in harm to you. State the date AND place of all events. Attach an extra sheet if necessary, and write the heading "Part II Continued" at the top of the sheet. Keep to the facts. Do not give any legal arguments or cite any cases.)

Violations of the Rail Labor Act. The Union Pacific banned me from the premises for filing too many safety complaints and I can prove it when I finally have my day in court. It was the exact definition of discrimination and discharge for attempting to file a complaint

If you know, BRIEFLY state what SPECIFIC law or constitutional provisions defendant(s) violated.)

Rail Labor Act - Title 49-Subtitle V-Part A - Chapter 201-Subchapter I - 20109
Employee Protections

Relief

(State briefly EXACTLY what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

I want my back pay with interest, and "all relief necessary to make the employee whole", as stated in the law.
If I have to give a dollar amount I will say \$250,000 because that is stated in the law.

Signature(s) of Plaintiff(s)

Signed this 6 day of March, 2010.

Richard Purcell
(Signature of Plaintiff)

(563) 243-1257
(Area code) Phone Number

Signatures and phone numbers of additional plaintiffs, if any:

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

Clinton County

(c) Attorney's (Firm Name, Address, and Telephone Number)

no attorney - self

DEFENDANTS

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

Clinton

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/>	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

110 Insurance
 120 Marine
 130 Miller Act
 140 Negotiable Instrument
 150 Recovery of Overpayment & Enforcement of Judgment
 151 Medicare Act
 152 Recovery of Defaulted Student Loans (Excl. Veterans)
 153 Recovery of Overpayment of Veteran's Benefits
 160 Stockholders' Suits
 190 Other Contract
 195 Contract Product Liability
 196 Franchise

PERSONAL INJURY
 310 Airplane
 315 Airplane Product Liability
 320 Assault, Libel & Slander
 330 Federal Employers' Liability
 340 Marine
 345 Marine Product Liability
 350 Motor Vehicle
 355 Motor Vehicle Product Liability
 360 Other Personal Injury

PERSONAL INJURY
 362 Personal Injury - Med. Malpractice
 365 Personal Injury - Product Liability
 368 Asbestos Personal Injury Product Liability
 370 Other Fraud
 371 Truth in Lending
 380 Other Personal Property Damage
 385 Property Damage Product Liability

PERSONAL PROPERTY
 610 Agriculture
 620 Other Food & Drug
 625 Drug Related Seizure of Property 21 USC 881
 630 Liquor Laws
 640 R.R. & Truck
 650 Airline Regs.
 660 Occupational Safety/Health
 690 Other

OTHER
 422 Appeal 28 USC 158
 423 Withdrawal 28 USC 157
 820 Copyrights
 830 Patent
 840 Trademark

OTHER
 400 State Reapportionment
 410 Antitrust
 430 Banks and Banking
 450 Commerce
 460 Deportation
 470 Racketeer Influenced and Corrupt Organizations
 480 Consumer Credit
 490 Cable/Sat TV
 810 Selective Service
 850 Securities/Commodities/ Exchange
 875 Customer Challenge 12 USC 3410
 890 Other Statutory Actions
 891 Agricultural Acts
 892 Economic Stabilization Act
 893 Environmental Matters
 894 Energy Allocation Act
 895 Freedom of Information Act
 900 Appal of Fee Determination Under Equal Access to Justice
 950 Constitutionality of State Statutes

210 Land Condemnation
 220 Foreclosure
 230 Rent Lease & Ejectment
 240 Torts to Land
 245 Tort Product Liability
 290 All Other Real Property

441 Voting
 442 Employment
 443 Housing/ Accommodations
 444 Welfare
 445 Amer. w/Disabilities - Employment
 446 Amer. w/Disabilities - Other
 440 Other Civil Rights

OTHER
 510 Motions to Vacate Sentence
Habeas Corpus:
 530 General
 535 Death Penalty
 540 Mandamus & Other
 550 Civil Rights
 555 Prison Condition

LABOR
 710 Fair Labor Standards Act
 720 Labor/Mgmt. Relations
 730 Labor/Mgmt. Reporting & Disclosure Act
 740 Railway Labor Act

OTHER
 790 Other Labor Litigation

791 Empl. Ret. Inc.

V. ORIGIN
 1 Original Proceeding

(Place an "X" in One Box Only)

2 Removed from State Court

3 Remanded from Appellate Court

4 Reinstated or Reopened

5 Transferred from another district (specify)

6 Multidistrict Litigation

Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Rail Labor Act Title 49 - 20109

Brief description of cause:

Rail Labor Act - Employee Protection - violations

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DEMAND \$ 250,000

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

Richard Russell - Self

3-6-10
FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE